

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Julie N. Bagoye, Assistant Clerk/Administrator, by Judy Evans, Assistant Deputy Clerk.

F052930 People v. Brashear

Cause called and argued by Jerome P. Wallingford, Esq., counsel for appellant and by Clara M. Levers, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Vartabedian, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Kane, J.

F053323 Vindiola v. City of Modesto

Cause called and argued by Theresa Y. Toledo, Esq., counsel for appellant and by Richard B. Evans, Esq., counsel for respondent.

Cause ordered submitted.

F055084 Tri Counties Bank v. The Superior Court of Fresno County; Amaya-Guenon et al.,

Cause called and argued by Michael J. Hassen, Esq., counsel for appellant. Peter A. Krause, Deputy Attorney General, counsel for respondent waived oral argument. William M. Krieg, Esq., counsel for real party waived oral argument.

Cause ordered submitted.

Court recessed until Tuesday, October 14, 2008 at 10:00 A.M.

F053671 People v. Bergdoll

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F053671 People v. Bergdoll

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054925 In re Juan D. Jr., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F054925 In re Juan D. Jr., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055980 In re Coronado

Petitioner is directed to cause a notice of appeal to be filed in Tulare County Superior Court action #VCF152279, on or before 30 days from the date of the filing of this opinion.

Let a petition for writ of habeas corpus issue directing the Clerk of the Tulare County Superior Court, if she receives said notice on or before 30 days from the date of the filing of the opinion, to file the notice, to treat it as being timely filed, and to proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

In light of the disposition, the "Request for Relief from Default Re: Notice of Appeal" also filed 8/29/08 is denied as moot.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]